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Resolution 2404 (2018)

Adopted by the Security Council at its 8194th meeting, on 28 February 2018

The Security Council,

Recalling its previous resolutions, statements of its President and press statements on the situation in Guinea-Bissau, in particular resolutions 1876 (2009), 2030 (2011), 2048 (2012), 2092 (2013), 2103 (2013), 2157 (2014), 2186 (2014), 2203 (2015), 2267 (2016) and 2343 (2017),

Taking note of the report of the Secretary-General on Guinea-Bissau, dated 9 February 2018 (S/2018/110) and the recommendations contained therein, and underscoring the Secretary-General's positive appreciation of the role of his Special Representative and head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) in assisting the Government of Guinea-Bissau,

Reaffirming its strong commitment to the sovereignty, unity and territorial integrity of Guinea Bissau, emphasizing that the Bissau-Guinean authorities have primary responsibility for the provision of stability and security throughout the territory of the country, and underscoring the importance of national ownership to implement inclusive political, peace and security related initiatives,

Stressing the continued need for the Government of Guinea-Bissau to take concrete steps towards ensuring peace, security and stability in the country, by inclusively resolving the Guinea Bissau political crisis, organizing free, fair, credible and transparent legislative and presidential elections as stipulated in the Bissau-Guinean Constitution, effectively reforming the security sector, tackling corruption through the reinforcement of the judicial system, improving public administration and State revenue management, as well as the supply of basic services to the population, promoting and protecting human rights and commending its commitment to the implementation of its national priorities,

Expressing concern regarding the ongoing protracted political and institutional crisis among the main political actors, including but not limited to the President, the Prime Minister, the Speaker of Parliament and Head of political parties in Guinea Bissau which has prevented the country from moving forward with ensuring peace and stability through implementing its national reform agenda and threatens to undermine the progress made since the restoration of constitutional order following the elections held in 2014,

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Expressing also concern for the situation of citizens of Guinea-Bissau, who are suffering the negative effects of the political crisis, and urging all political actors to put the interest of the Bissau-Guinean people above all other consideration,

Welcoming the continued engagement of the Special Representative of the Secretary-General, Modibo Ibrahim Touré, the President of the Republic of Togo, His Excellency Faure Essozimna Gnassingbé, in his capacity as the Chairperson of the Economic Community of West African States (ECOWAS), the President of the Republic of Guinea, His Excellency Alpha Conde, in his capacity of ECOWAS Mediator for Guinea-Bissau, the Special Representative of the African Union, Ovidio Pequeno, and other interlocutors in the search for a peaceful solution to the impasse and *recalling* the need for concerted action among the United Nations, ECOWAS, the African Union, the Community of Portuguese-Speaking Countries (CPLP), and the European Union (EU),

Welcoming also the continued efforts of the five international organizations involved in the peacebuilding process in Guinea-Bissau (African Union, CPLP, ECOWAS, European Union, United Nations) and supporting their appeals to all stakeholders in Guinea-Bissau, to respect the principles established in the UN Charter and their obligations under International Human Rights Treaties and to refrain from any public action or discourse likely to aggravate tensions in the country,

Recalling, that the implementation of the Conakry Agreement of 14 October 2016, based on the ECOWAS road map entitled "Agreement on the resolution of the political crisis in Guinea-Bissau", is the primary framework for a peaceful resolution of the political crisis, as it offers an historic opportunity for national authorities and political leaders, as well as civil society, to jointly ensure political stability and build sustainable peace,

Commending the continued mediation efforts of ECOWAS to promote the implementation of the ECOWAS road map and the Conakry Agreement, as demonstrated by the ECOWAS Authority of Heads of States and Government, in Addis Ababa, on 27 January 2018, Inviting the President of Guinea-Bissau to appoint a consensus Prime Minister and the signatory parties to form a government in conformity with the Conakry Agreement, no later than 31 January 2018, and *acknowledging* the communique of 01 February 2018, following its high level mediation mission to Bissau and determination that the Conakry Agreement had not been respected, and, in this regard, its direction to the president of the commission to implement sanctions against any person or organization impeding the process for ending the crisis in Guinea Bissau and *noting* the ECOWAS Authority's strong appeal to the African Union, CPLP, European Union and United Nations to support ECOWAS in the effective implementation of these sanctions,

Emphasizing the need for respect of democratic principles and stressing the importance of national reconciliation, inclusive dialogue and good governance, essential for the attainment of lasting peace in Guinea-Bissau, further stressing the importance of including all Bissau-Guineans ensuring the full and effective participation of women and youth in this process at national and local levels, while upholding the principles of separation of powers, rule of law, justice and combating impunity, and encouraging all stakeholders to engage in the process,

Noting that delays in the implementation of the Conakry Agreement have undermined the efforts of dialogue and the review of the applicable legal framework before the holding of the legislative and presidential elections in 2018 and 2019, respectively, and further *taking note* that the institutional paralysis, in particular of the National Assembly, has prevented progress in relation to the review of the Constitution,

Stressing that the consolidation of peace and stability in Guinea-Bissau can only result from a consensual, inclusive and nationally owned process, respect for constitutional order, priority reforms in the defence, security and justice sectors, the promotion of the rule of law, the protection of human rights, the promotion of socioeconomic development and the fight against impunity and drug trafficking, in the framework of the sovereignty, independence, unity and territorial integrity of Guinea-Bissau,

Reaffirming the importance of the continued non-interference of the defence and security forces in the political situation in Guinea-Bissau, and commending the restraint shown in this regard as well as the peacefulness of the people of Guinea-Bissau,

Underscoring the importance of the Government of Guinea-Bissau, with the support of UNIOGBIS and international partners, to continue developing national security and rule of law institutions that are impartial, transparent, accountable and professional,

Stressing that all stakeholders in Guinea-Bissau should work to ensure short, medium and long-term stability through clear commitment and genuine inclusive political dialogue aimed at creating conditions conducive to finding viable and sustainable solutions to the country's social, economic, political and military problems, which would facilitate the implementation of key reforms and the strengthening of State institutions,

Encouraging continued efforts of the Government to ensure effective civilian control and oversight over the defence and security forces, as failure to do so could adversely affect the effective functioning of State institutions, as a result of collusion between some political actors and the military leadership,

Commending the efforts of ECOWAS in helping to sustain peace, security and development and to support the security sector reform (SSR) process in Guinea-Bissau namely through the activities of its Mission (ECOMIB),

Welcoming the continued contribution of ECOMIB in promoting stability in Guinea-Bissau and *encouraging* the international community to continue supporting and assisting ECOMIB,

Encouraging the commitment, efforts of mediation and direct contacts of the African Union with the political actors of Guinea Bissau in view of stepping up the efforts to help overcome the current blockage of the political situation,

Reiterating its call on the Government of Guinea-Bissau to conduct transparent, independent and credible investigations into human rights violations and abuses, in accordance with international standards, and to hold those responsible accountable for their actions,

Reiterating its concern at the threat posed by drug trafficking, as well as trafficking in all forms, including trafficking in persons, and related transnational organized crime to peace and stability; and, in this regard, *encouraging* sustained efforts of the Government of Guinea-Bissau, ECOWAS, UNIOGBIS, the United Nations Office on Drugs and Crime (UNODC) and other relevant stakeholders in combating this issue,

Re-emphasizing the need to tackle the problem of drug trafficking in the countries of origin, transit and final destination on a basis of a common and shared responsibility, to tackle the world drug problem and related criminal activities; and, in this regard, stressing the need for increased coherence, coordination and efficiency among relevant partners to enhance their collective efforts, in particular through sharing of information, underlining that any lasting solution to instability in Guinea-

Bissau should include concrete actions to fight impunity and ensure that those responsible for politically motivated assassinations and other serious crimes such as breaches of constitutional order and drug trafficking-related activities are brought to justice, including through national judicial mechanisms,

Reiterating the importance and urgency of the continued evaluation capacity and support provided by the relevant United Nations entities and international, regional, sub-regional and bilateral partners for the long-term security and development of Guinea-Bissau, particularly towards the implementation of security and justice sectors reforms, the fight against transnational organized crime as well as the creation of an enabling environment for good governance and inclusive and sustainable social development, and in this regard, commending the important work UNODC in collaboration with relevant United Nations entities in Guinea -Bissau and the sub-region, and encouraging enhanced cooperation between UNODC and UNIOGBIS,

Urging Bissau-Guinean national stakeholders to demonstrate the necessary commitment to re-establish momentum for progress in key areas, as outlined in the programme "Terra Ranka" presented to the donor community at the Brussels round table held in March 2015,

Emphasizing the role of UNICEF working closely with government to create the proper conditions to provide education for the children of Guinea -Bissau,

Emphasizing the important role of women in prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions 1325 (2000) and subsequent resolution on women, peace and security,

Emphasizing the cooperation between UNIOGBIS, national authorities and civil society organizations to increase women's social and political participation in Guinea-Bissau and underlining that a gender perspective must continue to inform the implementation of all relevant aspects of the mandate of UNIOGBIS, including national reconciliation processes, institution building and to address the root causes of instability,

Reaffirming that Guinea-Bissau's partners should continue to actively and closely coordinate their actions in support of the Government's efforts to address the country's political, security and development challenges, and in this regard, recalling the coordinated and long-standing support provided by the country's partners, namely those in the United Nations system, the African Union, ECOWAS, the Community of Portuguese-Speaking Countries (CPLP), the EU, the World Bank, and the African Development Bank, to the Government during the International Donor Conference for Guinea-Bissau held on 25 March 2015 in Brussels,

Welcoming the African Union Peace and Security Council Communiqué of its 734th meeting, held on 14 November 2017, underscoring the need for credible elections, notably legislative elections in 2018 to be held according to legal timelines,

Welcoming the continued engagement of the Peacebuilding Commission (PBC) with Guinea Bissau, and *noting* the briefing by the Chair of the PBC configuration for Guinea Bissau on 14 February 2018 reiterating its support to the Conakry Agreement, stressing the importance of holding free and fair elections in accordance with the Constitution of Guinea Bissau, and underlining the importance of renewing the mandate of UNIOGBIS of another year,

Reaffirming its full commitment to the consolidation of peace and stability in Guinea-Bissau,

Renewal of the mandate

1. *Decides* to extend the mandate of UNIOGBIS for a period of 12 months beginning on 1 March 2018 until 28 February 2019;

2. *Calls* for the implementation of the recommendations of the strategic review mission regarding the need of UNIOGBIS to refocus its existing efforts towards political capacities in support of the SRSG's good offices and to streamline its management structure, and *encourages* UNIOGBIS to operate in a more effective and efficient manner;

3. *Requests* UNIOGBIS, including through the use of the good offices and political support of the Special Representative, to focus, in particular, on the following priorities:

(a) Support the full implementation of the Conakry Agreement and the ECOWAS Roadmap, and facilitate an inclusive political dialogue and national reconciliation process, strengthening democratic governance, particularly with regards to the implementation of necessary urgent reforms;

(b) Support, through good offices the electoral process to ensure inclusive, free and credible legislative elections in 2018 within the legally mandated time frame;

(c) Providing support, including by technical assistance, to national authorities in expediting and completing the review of Guinea-Bissau's Constitution;

4. *Affirms* that in addition to the abovementioned priorities, UNIOGBIS and the Special Representative will continue to assist, coordinate and lead international efforts in the following areas to ensure lasting peace and stability in Guinea Bissau:

(a) Providing support to the Government of Guinea-Bissau in strengthening democratic institutions and enhancing the capacity of state organs to function effectively and constitutionally;

(b) Assisting national authorities and stakeholders in the promotion and protection of human rights as well as undertake human rights monitoring and reporting activities;

(c) Providing strategic and technical advice and support to the Government of Guinea-Bissau to combat drug trafficking and transnational organized crime, in close cooperation with UNODC;

(d) Providing support to the Government of Guinea-Bissau to incorporate a gender perspective into peacebuilding, in line with Security Council resolutions 1325 (2000), 1820 (2008) and 2242 (2015); as well as implementation of the National Action Plan on Gender in order to ensure the involvement, representation and participation of women at all levels through inter alia the provision of gender advisers;

(e) Support the Government of Guinea Bissau, in close cooperation with the United Nations Peacebuilding Commission, in the mobilization, harmonization and coordination of international assistance namely from African Union, ECOWAS, CPLP and the European Union, with view to upcoming elections;

Political and human rights situation

5. *Supports* the efforts of ECOWAS to ensure a swift resolution of the crisis and took note of its decision of 4 February 2018 to impose sanctions against those obstructing the implementation of the Conakry Agreement, the only consensual framework to find a lasting solution to this crisis, whose prerequisite remains the appointment of a consensus Prime Minister and an inclusive Government;

6. *Calls* upon the Bissau-Guinea stakeholders to strictly respect and comply with the Conakry Agreement and the ECOWAS road map in addressing their differences and the challenges facing their country, and *further calls* upon the Bissau-Guinea stakeholders to refrain from actions and statements that could escalate tensions and incite violence;

7. *Urges* all political actors to put the interest of the people of Guinea Bissau above all other consideration and in this regard, calls upon Bissau-Guinean leaders to strictly respect and comply with the Conakry Agreement and the Bissau 6 point roadmap in addressing their differences and the challenges facing their country, especially in view of stipulated legislative elections in 2018 and further calls upon the Bissau-Guinean stakeholders to refrain from actions and statements that could escalate tensions and incite violence;

8. *Stresses* the importance of holding legislative elections within the legally-mandated timeframe in 2018, and presidential elections in 2019; recalls the relevance of passing key reforms, as outlined in the Conakry Agreement, aimed at creating a conducive environment for the holding of legislative and presidential elections in 2018 and 2019, reform of the electoral code and promulgation of a new law on political parties and *requests* UNIOGBIS to work closely with national authorities, as well as the United Nations Country Team (UNCT) in support of the timely conduct of these elections, and to strengthen democracy and good governance;

9. *Calls* upon the authorities of Guinea-Bissau and all stakeholders, including the military, political parties, and civil society to engage in inclusive, genuine dialogue, and work together to consolidate progress made so far, and to address the root causes of instability with particular attention to political-military dynamics, constitutional review, ineffective state institutions and rule of law, impunity and human rights violations and abuses, poverty and lack of access to basic services;

10. *Underscores* the need for inclusive dialogue of all stakeholders to consolidate peace and stability in Guinea-Bissau and calls upon the national authorities to expedite the review of Guinea-Bissau's Constitution;

11. *Calls* on the security and defence services to continue to submit themselves fully to civilian control;

12. *Commends* the important efforts of ECOWAS and *encourages* ECOWAS to continue extending its political support to the authorities and political leaders of Guinea Bissau through the use of good offices and mediation;

13. *Encourages* ECOWAS and CPLP to take the necessary steps towards organizing a meeting of the International Contact Group on Guinea-Bissau, in consultation with the United Nations, EU, and all stakeholders;

14. *Takes* note of the human rights situation in the country and urges the authorities of Guinea-Bissau to take all necessary measures to promote and protect human rights, put an end to impunity, initiate investigations to identify the perpetrators of human rights violations and abuses, including those against women and children, and bring them to justice and take action to protect witnesses in order to ensure due process;

15. *Deplores* the reported lack of respect for the right of peaceful assembly as recognized by the Constitution of Guinea-Bissau, as well as the legal instruments of ECOWAS, the African Union and the United Nations on the matter and *urges* all Guinea-Bissau authorities to ensure strict respect for their obligations under international human rights laws;

16. *Welcomes* the joint efforts by international partners, in particular the United Nations, African Union, ECOWAS, EU and CPLP, to enhance cooperation in

support of the Government in Guinea-Bissau and encourages them to continue to work together towards the country's stabilization in accordance with the priority structural reforms established by the government, and in this regard, recognizes the role of the Peacebuilding Commission in enhancing these efforts with a view to supporting the long-term peacebuilding priorities of Guinea-Bissau;

17. *Reiterates* the importance of the implementation of defence and security sector reforms as a crucial element for long-term stability in Guinea-Bissau and further encourages coordinated action by all relevant sub-regional, regional and international partners of Guinea-Bissau in this field in order to obtain expeditious and positive results;

18. *Welcomes* the extension by ECOWAS of the mandate of ECOMIB until 31 March 2018 to enable the political actors in Guinea-Bissau to effectively implement the Conakry Agreement, *commends* the crucial role of ECOMIB in securing the state institutions and in supporting SSR, expresses strong appreciation for its contribution to stability in Guinea-Bissau and encourages ECOWAS to consider a further extension of its mandate, supports its continuation throughout the electoral cycles in 2018 and 2019 and urges bilateral, regional and international partners to consider providing financial assistance to support ECOWAS in sustaining the deployment of ECOMIB, commends the financial support provided by the EU and welcomes its willingness to consider options for providing further support to ECOMIB;

19. *Calls* upon the authorities of Guinea-Bissau to continue to actively reform and strengthen the judicial system, while ensuring the separation of powers and access to justice for all citizens;

20. *Reiterates* its call upon the authorities of Guinea-Bissau to implement and review national legislations and mechanisms to more effectively combat transnational organized crime, including drug trafficking, trafficking in persons and money-laundering, which threaten security and stability in Guinea-Bissau and in the sub-region, and in this context, to ensure support to the Transnational Crime Unit (TCU) established under the West Africa Coast Initiative (WACI) and the Intergovernmental Action Group against Money Laundering in West Africa (GIABA) and national counternarcotics enforcement units; *encourages* international bilateral and multilateral partners to increase their support to these institutions and further encourages these partners to contribute to support the presence of UNODC in Guinea-Bissau and to the UNIOGBIS Trust Fund for immediate, medium and longer-term priorities; calls upon the international community to continue cooperation with Guinea-Bissau to enable it to ensure control of air traffic and surveillance of maritime security within its jurisdiction, in particular to fight drug trafficking and transnational organized crime, as well as illegal fishing in Guinea-Bissau's territorial waters and exclusive economic zone and other cases of illegal exploitation of natural resources; and calls on the authorities of Guinea-Bissau to demonstrate full commitment to combating drug trafficking through provision of adequate resources and political support to counternarcotic units, their investigations and pursuit of accountability for perpetrators;

21. *Stresses* the importance of combating drug trafficking to achieve political and economic stability in Guinea-Bissau, requests the Secretary-General to ensure the relevant capacity within the existing UNIOGBIS structure, and requests that the Secretary-General collaborate with UNODC and international partners to guarantee sufficient staffing for the UNODC office in Bissau, to contribute to the anti-drug efforts, including appropriate expertise and further requests the Special Representative of the Secretary-General to increase efforts to achieve greater coherence, coordination and efficiency among relevant United Nations agencies,

funds and programmes in the country to maximize their collective effectiveness, in particular through provision by these agencies, funds and programmes of relevant information to the Special Representative on individuals, groups, undertakings and entities associated with drug trafficking and transnational organized crime that contribute to creating a threat to the peace, stability and security of Guinea-Bissau and the sub-region;

22. *Commends* the good offices role of the Special Representative of the Secretary-General to support the Government of Guinea-Bissau;

23. *Commends* the important efforts of ECOWAS, *encourages* ECOWAS to continue extending its political support to the authorities and political leaders of Guinea-Bissau through the use of good offices and mediation, further *encourages* the African Union, the CPLP, the European Union and the United Nations to provide support to ECOWAS, and *acknowledges*, in this regard its 04 February 2018 adoption of targeted sanctions against those impeding the process to end the crisis in Guinea Bissau as well as the request by ECOWAS and African Union to support their implementation of these sanctions;

24. *Stresses* the need for all national stakeholders and Guinea-Bissau's international bilateral and multilateral partners to remain committed to enforce the Conakry Agreement and, in this context, *encourage* ECOWAS to continue close coordination with the United Nations, African Union, CPLP and European Union aimed at the implementation of the Conakry Agreement;

25. *Welcomes* continued engagement of the African Union in promoting a peaceful solution to the current political impasse in Guinea Bissau and the Communique of the 752nd meeting of the Peace and Security Council of the African Union number PCS/Pr/COMM. (DCCLII) issued on 13 February 2018 in this regard;

26. *Express* the Security Council's readiness to take additional measures to respond to further worsening of the situation in Guinea Bissau;

27. *Decides* to review the sanctions measures established pursuant to resolution 2048 (2012) seven months from the adoption of this resolution;

Reporting

28. *Requests* the Secretary-General to provide an oral update within 3 months on the political and security situation in Guinea Bissau and its preparation for elections, and submit to the Security Council regular reports every six months on the implementation of this resolution, and within 9 months submit the Secretary-General's assessment of the Mission including options for a possible reconfiguration of the United Nations presence in the country and re-prioritization of tasks, and to submit a report within six months, with a briefing to the Committee established pursuant to its resolution 2048 (2012), on the progress made with regards to the stabilization of the country and restoration of constitutional order and recommendations on the continuation of the sanctions regime in the post-election environment, in line with paragraph 12 of resolution 2048 (2012);

29. *Decides* to remain actively seized of the matter.